

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF/RESPONDENT

V.

CASE NO. 5:99-CR-50038-001

GABINO SOLTERO-CORONA

DEFENDANT/PETITIONER

ORDER

Comes on for consideration the Report and Recommendation (Doc. 103) filed in this case on September 6, 2016, by the Honorable Erin L. Setser, United States Magistrate Judge for the Western District of Arkansas. More than fourteen (14) days have passed without objections being filed by the parties.

Accordingly, **IT IS ORDERED** that the Report and Recommendation (Doc. 103) is **ADOPTED IN ITS ENTIRETY**, and Defendant/Movant's Motion to Vacate under 28 U.S.C. § 2255 (Doc. 97) is **DISMISSED** for lack of subject matter jurisdiction. For the reasons stated in the Report and Recommendation, a request for Certificate of Appealability is **DENIED**.

IT IS SO ORDERED on this 4th day of October, 2016.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE